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UNCLAS SECTION 01 OF 02 USUN NEW YORK 000102

SENSITIVE  
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TAGS: [PREL](#) [PGOV](#) [UNSC](#) [RS](#) [GG](#)

SUBJECT: ACTION REQUEST: DRAFT SECURITY COUNCIL RESOLUTION

REF: STATE 6467

11. (SBU) SUMMARY AND ACTION REQUEST. Per Reftel instructions, Ambassador Rice along with Ambassadors of Croatia, France, Germany, and Russia ("Group of Friends") have achieved "ad referendum" agreement on the text of a Security Council resolution that would extend the mandate of the UN mission for four months, but includes additional elements suggested by France. During consultations of the whole on February 9, Ambassador Rice along with French and U.K. Ambassadors successfully warded off an attempt by the Russian federation to change the name of the agenda item for consultations on Tuesday February 10 from "Situation in Georgia" to "UNSCR 1839". ACTION REQUEST: USUN requests Department approval by 11:00 on Tuesday February 10 on the resolution text contained in paragraph 5, as the Group of Friends wish to circulate it informally to the full Council. END SUMMARY AND ACTION REQUEST.

12. (SBU) Ambassadors Rice and DiCarlo reached "ad referendum" agreement with Ambassadors of the Group of Friends on February 9 on the text of a Security Council resolution that would roll over the current UNOMIG mandate for four months, with a June 15 expiration date. Per reftel instructions, the draft resolution refers to Resolution 1808, which by reference reaffirms the commitment of member state to the sovereignty and territorial integrity of Georgia. The resolution calls for provision 2(a) of the former Moscow Agreement to be respected, pending agreement on a revised security regime and calls for the intensification of efforts to address security and stability issues and the return of IDPs through the Geneva discussions. The resolution expresses the intention of the Security Council to outline elements of a future presence by the mandate's June 15 expiration, taking into account the Secretary-General's recommendations, the Geneva discussions, and the situation on the ground.

13. (SBU) In Security Council Consultations on February 9, Ambassador Rice, along with U.K. and French Ambassadors, deflected an attempt by the Russian Federation to have the agenda item for consultations on Tuesday February 10 changed, from the "Situation in Georgia" to UNSCR 1839. Japanese PermRep Takasu had raised the issue at the request of the Russian Federation. Ambassador Rice pointed out that a decision of the Council (i.e., 9 votes for a procedural decision) would be necessary to change the agenda item, that the U.S. would be opposed, and that we believed a decision by the Council to change the name of the agenda item would give an unintended signal on the Council's commitment to Georgia's sovereignty and territorial integrity. Russian Ambassador Vitaly Churkin did not pursue the issue, and it was dropped. Tuesday's agenda has subsequently been published, and reads, "The Situation in Georgia."

14. (SBU) ACTION REQUEST: USUN requests Department concurrence by 11:00 A.M. on Tuesday February 10 to informally circulate to the full Council the draft text in paragraph 5.

15. (SBU) BEGIN TEXT:

Draft Resolution, 9 February 2009

The Security Council,

PP1 Recalling its previous resolutions, including resolutions 1808 (2008) of 15 April 2008 and 1839 (2008) of 9 October 2008,

PP2 Considering the report of the Secretary-General of 4 February 2009 (S/2009/69),

PP3 Welcoming the six-point agreement of 12 August 2008, and subsequent implementing measures of 8 September 2008,

PP4 Taking note of the Geneva discussions commenced on 15 October 2008 and encouraging the participants to reach practical results,

PP5 Underlining the importance of the peaceful resolution of disputes,

1. Recalls the arrangements entered into under the agreements of 12 August 2008 and of 8 September 2008;

2. Calls for the provisions that were set out in paragraph 2 (a) of the Agreement on a Cease-fire and Separation of Forces signed in Moscow on 14 May 1994 (S/1994/583) to be respected, pending consultations and agreement on a revised security regime, taking note of the recommendations on the security regime contained in the

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report of the Secretary-General of 4 February 2009;

3. Underlines the need to refrain from any act of ethnic discrimination against persons, groups of persons or institutions, and to ensure, without distinction, the security of persons, the right of persons to freedom of movement and the protection of the property of refugees and displaced persons;

4. Calls for facilitating, and refraining from placing any impediment to, humanitarian assistance to persons affected by the conflict, including refugees and internally displaced persons, and further calls for facilitating their voluntary, safe, dignified and unhindered return;

5. Calls for the intensification of efforts to address the issue of regional security and stability, and the issue of refugees and internally displaced persons, through the discussions currently underway in Geneva, and requests the Secretary General, through his Special Representative, to continue to fully support this process, and to report on progress thereon;

6. Calls upon the Secretary-General to actively coordinate through his Special Representative the United Nations mission's activities with other international presences established in the area of deployment, in particular with the European Union Monitoring Mission;

7. Requests the Secretary General to report to the Council on the implementation of this resolution, and on the situation on the ground and the activities of the United Nations mission, including recommendations on future activities by 15 May 2009;

8. Expresses its intention to outline the elements of a future UN presence in the region by 15 June 2009, taking into account the recommendations to be contained in the report of the Secretary General referred to in paragraph 7, the Geneva discussions, and developments on the ground;

¶9. Decides to extend the mandate of the United Nations mission for a new period terminating on 15 June 2009;

¶10. Decides to remain actively seized of the matter.

END TEXT.

Rice